

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
500 PEARL STREET
NEW YORK, NY 10007

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

(212) 805-0194

October 21, 2022

James R. Martin
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**Re: In re LIBOR-Based Financial Instruments Antitrust Litig.,
11-md-2262 (NRB), 14-cv-1757 (NRB)**

Dear Counsel:

The Federal Deposit Insurance Corporation as Receiver for 20 Closed Banks’ (“FDIC’s”) letter of July 18, 2022 seeks leave to file a motion for reconsideration of prior rulings of this Court dismissing certain claims advanced by the FDIC based on two recent decisions of the Second Circuit, in which the FDIC was not an appellant. See Berkshire Bank v. Lloyds Banking Group plc, et al., 20-1987-cv, 2022 WL 569819 (2d Cir. Feb. 25, 2022) (summary order); Schwab Short-Term Bond Market Fund v. Lloyds Banking Group PLC, 22 F.4th 103 (2d Cir. Dec. 30, 2021).

Without specification of this Court’s prior rulings and an explanation of how the Second Circuit’s decisions might impact those rulings, this Court cannot evaluate whether leave to grant the proposed motion should be granted. Accordingly, the FDIC is directed to file another letter in full conformity with this Court’s Individual Rule 2(b), citing “chapter and verse” of our prior rulings and the portion of the Second Circuit’s opinions which the FDIC contends requires reconsideration.

Very truly yours,



NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE